

NEWINGTON TOWN PLAN AND ZONING COMMISSION

Regular Meeting

December 9, 2009

Chairman David Pruett called the regular meeting of the Newington Town Plan and Zoning Commission to order at 7:00 p.m. in the Town Council Chambers at the Newington Town Hall, 131 Cedar Street, Newington, Connecticut.

I. ROLL CALL

Commissioners Present

Commissioner Anest
Commissioner Camerota
Commissioner Casasanta
Commissioner Hall
Commissioner Pane
Chairman Pruett
Commissioner Schatz
Commissioner Aieta
Commissioner Lenares
Commissioner Carragher

Commissioners Absent

Staff Present

Ed Meehan, Town Planner

Chairman Pruett: Before I start the meeting I would like to take this opportunity to extend a thanks and gratitude to Cathy Hall for serving as Chair, also to Tom Ganley serving as Vice-Chair, and also to Pete Kornichuk for serving as Secretary. Their efforts and time to the Town of Newington is greatly appreciated.

I would also like to inform the public that their continual input is very much appreciated and needed. We value that. Your comments are recorded, they are part of the record, we review them, and I want to inform you again that the 2020 Plan will not end, will continue until we have the final product and everybody has input on, such as the public. The Town Council will be doing their tour of duty, so to speak, to get their input, and then we will go forward with a positive plan that is best for Newington.

Before I put forward the public section of the meeting, I'd like to ask our Commissioners for some brief comments and general concerns of the 2020 Plan.

Commissioner Schatz: Thank you. The one thing that I picked out here on our mission statement, and it comes down to high density development may be considered where transit service and opportunities, so does that mean New Britain Avenue, the bus route from Hartford? That transit, I don't care for that word in there. It covers a lot of streets in Newington. It could be right in the center of town, Main Street, New Britain Avenue, the road to Hartford.

Chairman Pruett: Good. Additional comments?

Commissioner Pane: Mr. Chairman, I agree with Commissioner Schatz on that. I'm concerned about that too. Also, before we get into too much of the Plan of Development, I'd like to talk about maybe for the next time, putting in some sort of mandatory notice through the tax department so that the next time we have a Plan of Development all the community gets notified

through the tax department. All property owners get notified and this will relieve any problems that we might have in the future. I think it would be something that I think would be beneficial to the community. A good way to get the notice out. I think we should put it in our Plan of Development, and make it a mandatory thing.

One of the other things, Mr. Chairman, last night, I don't want the Council or the Community to get the wrong idea. The Plan of Development, even though it's not our Zoning Regulations, is extremely important. It's a device that developers use to get zone changes, and we need to be very concise and we need to make sure that everything that is in here is something that we want because if we don't want it, we just can't have it in here because it will come back to bite us. So it is a very important document, and this document is basically for the community and how the community wants to see the town grow. I'm happy to see that the people are here, and I'm sure that they know that I'm not in favor of this high density and there is a number of other things that I'm not in favor of, but I'll, at this time I'll leave it open for some comments from other Commissioners. Thank you Mr. Chairman.

Chairman Pruet: Thank you. Further comments from the Commissioners?

Commissioner Anest: Good evening and thank you all for attending. My concern is that there is so much in this 2020 Plan that I would like to recommend to the Commission that we dissect it section by section and notify the public of what sections we are going to be discussing at a particular meeting. This way they can focus on those particular issues instead of hearing input from you on the whole thing, we can concentrate on that section at that particular meeting and then get additional input. I think it's very important that we consider this like almost our charter for our Plan of Development, like the Charter Revision took it section by section, I also think that this should be done the same way. There is a lot of information that was put in here that I don't particularly agree with, and I look to the public to give us as much input as they can, to see where they would like Newington to go in the future. In the mission statement it says, keep Newington a small New England suburban community, and that is how we should keep it and with the 2020 Plan, it's not going to keep it a small suburban community. Thank you.

Chairman Pruet: Thank you. Any further comments from the Commissioners?

Commissioner Camerota: I agree with all the comments made by the Commissioners so far, I think they are very insightful and I wanted to express my appreciation to the public for coming out and giving us their ideas as far as the plan. I think the three areas that have been noted as concerns are equally all the Commissioners concerns and that is the high density housing, the development of Cedar Mountain, and also the busway, railway, development around that area. I also would just like to note to the Commission, one of my concerns is not having although it's in our regulations that the height regulation in the center is three stories, I do think it should be in the Plan, and I think that is a concern and all your comments have been very helpful to me and to the Commissioners and I do like Commissioner Anest's suggestion of doing piece by piece. That way we will know what we are discussing on a night and everyone is not trying to study the entire plan all at once.

Chairman Pruet: Thank you for your comments. Any additional comments before we open it up to the public?

II. PUBLIC HEARINGS

A. Proposed 2020 Plan of Conservation and Development – Chapter 126, Section 8-23. Proposed by the Newington Town Plan and Zoning Commission. Continued from November 10, 2009.

Chairman Pruet: I'll now invite the public to come forth and present your views on the plan. Please step forward to the microphone, state your name and address for the hearing.

Joyce Shea, 125 Starr Avenue: Good evening. I grew up in Newington and have lived here for almost forty years. The majority of people coming here tonight are voicing concerns about Cedar Mountain, but I would like to talk to you about the Newington Depot and West Hill area of town. The Newington Depot and West Hill area of Newington is an historic part of our town. It is because of this area of town that we pulled away from Wethersfield and were incorporated as the Town of Newington. The residents of that time had the foresight to know what was best for the residents of Newington, and I'm hoping that today we also know what is best for our town. There are a number of historic homes in this area, such as the Pillars, which is also known through urban legend as the Arsenic and Old Lace house. To build a commuter bus terminal and high density housing in this area of town is ridiculous. We have enough traffic in this area already with the trucks that come off of Day Street through the neighborhood, and people trying to cut through the area to get to Main Street so they don't have to deal with the traffic on Willard Avenue and Stoddard. There are a lot of children in this neighborhood who actually play outside, and I said, that they actually play outside. With the increased traffic that will come with this proposal of development, it will put the children at risk and also lower the values of the homes in the area. With the current recession and what is happening in our country right now, to lower the values of our homes even more than they already are is absolutely ridiculous. So I ask you to think very carefully and have the same foresight that our town had over a hundred years ago and not allow this development to go forward as it will not be in the best interest of the town, or the people living in this area. Thank you.

Bernadette Conway, 177 Hartford Avenue: I just want to thank everyone again, all of the Commissioners for accommodating us and taking the time to listen to everything that we have to say. I support notifying people through the town about the town plan, through the tax office, I think that is a great idea. If it weren't for the Toll Brothers application, no one would have known anything about that town plan. Not many people, I mean, if you go to the web site regularly looking for meetings, which not a lot of people do that, no one would have known about it. That's how I found out about it, looking for information for the meetings specifically because of Cedar Mountain, and it is such an important document that I think that's a great idea. People need to take a look at it, and be more aware of it. I think it really needs to be more specific when it talks about the medium to high density housing near the transportation node. There are several locations that that would be and they call for very different developments. Something that can be considered in one area should not even be considered in another so I think that needs to be addressed as very specifically as to the location. I wanted to support again the moratorium that was proposed for development on Cedar Mountain, and I hope that we can hear something about that tonight. Thank you.

Brian Skivo, Starr Avenue: I've been coming here since day one, since this has all been going on here, and I just hope it really doesn't really go through. I have a feeling that something is going on, and I really don't like the feeling and I just hope this doesn't get developed, and I mean, we are all here tonight, and it's kind of a crappy night out tonight, and we are still here, not a full house, but we are still here. I just hope this doesn't go through, it would upset a lot of people and it's not going to be good. It's not going to be good down the road. You know, greed, money will probably win you know, and us here, the way that we feel about this thing, how it's going to go, we're all speaking, I don't see one person who is in favor. Let's just hope that by all of us speaking here since day one, it gets written down and recorded, and listen to the tapes, and listen to us talking and let's just hope that things don't go that way. It's, it would be a shame, I can't even express how I would feel if this should happen. I'm sure everyone else can agree with that as well, and I believe this is the last night of the meeting for this.....

Chairman Pruett: No, it's not. It will be open.

Brian Skivo: Okay, well, even if it is or not, it's still, our voices are going to be heard, through the media, and everybody else here. Thank you.

Don LaChance, 37 Goodale Drive: Good evening. I enjoy the outdoors, hiking and love Cedar Mountain. I know the trails intimately, I've done it as a child, I've done it as an adult, I do it on a regular basis. I want to go into it a little bit more and just not talk about Cedar Mountain itself and the hiking. A few years ago the town allowed, I call it buzz cutting three to four acres of open space of woodlands located on the corner of Main Street and the Berlin Turnpike, because we, the town, had to have a Krispy Kreme donut shop. This event turned out to be nothing more than a flash in the pan, leaving us with memories of horrendous traffic congestion. Here we are years later, if this goes through, the possibility of more vacant buildings, the possibility of more vacant parking lots if we have a similar occurrence. Currently Newington has eight percent open space remaining. We are all debating the outcome of twenty-eight acres on some of the most prime remaining acreage in town. I guess I'm questioning three years from now, are we going to have seven percent remaining and are we going to have more vacancies again. If we end up rezoning as residential as proposed by Toll Brothers, we'll end up with 119 new homes and families on this twenty-eight acre parcel. If we are to assume that there are three children for every home, that result would be thirty-six additional children in the school system. That would run us approximately four hundred and thirty-two thousand dollars annually, which would be offset by additional property taxes that that would generate, but on top of the expense from that, we have to have other town services that would have to be provided to this new housing development, If approved, I guess in two years we could look forward to more signs reminiscent of those flags that we still have flopping down by the old Toll Brothers site which says, one home left, hurry. That sign has been there for over a year. If the property remains zoned commercial the plans call for a gas station. Currently there are three other gas stations within four tenths of a mile. There are six within a mile. The proposal for a restaurant, within a mile plus or minus, there are two vacancies on the turnpike, the old Applebees and Krispy Kreme. We talk about a hotel that they are looking to put in there, and the hotel, just down the road we have a Holiday Inn Express which is almost ready to open up. I'm not sure if we need another hotel. I would assume that they are also planning on an anchor store, and other attached shops. We've got a Circuit City that is vacant for an anchor store, if they want to go there. If we look at the other additional shops, my wife and I took a ride town the Berlin Turnpike over the last week, there's twenty-four vacant store fronts if you look for them. So, the last issue that I want to bring up is about the added vehicle traffic, resulting from either additional residential or commercial development. At night I commute home on the Berlin Turnpike, going southbound. The exit ramp is known to back up for as much as three tenths of a mile, just past the Cumberland Farms. Traffic going eastbound up the hill sometimes backs up to a point half way up the mountain. Adding a traffic light adjacent to the new development would only serve to add to the backup, add to the congestion on a road that is already taxed and stretched to as far as we can get it and is especially treacherous during the winter. In my opinion, the worst case scenario would be to allow the land to be currently zoned, re-zoned, excuse me, as residential and close second for not being desirable would be to go with the commercial zoning that we have right now. A little better option and what I would prefer would be to work on some additional open space. If we do go with either the commercial zone one of the things, I'm a little nervous, so I'm going out of order here, but if we do go with the commercial zone, one of the other things that I would like to say is that this ultimately would only serve to create additional vacancies on the highway, and we would end up with additional pieces of property, commercial, either on the Berlin Turnpike, up above, down below, or in that plaza, all going out because there is a fixed market and I think we are pretty well saturated if we look at the number of gas stations that we have and the businesses that we have that could possibly go in there. It would be my desire that the town investigate a way to acquire the twenty-eight acres at the fairly appraised rate of a commercial property, and not as a residential appraised, which Toll

Brothers is currently looking for if it was rezoned because it undoubtedly would be at a higher price. The property can then be maintained as an open space, possibly cleaned up or possibly be developed as some kind of a park setting to be enjoyed by all. Thank you.

Commissioner Pane: Mr. Chairman, I just want to, before we go to another speaker, I just want to clarify a couple of things for the public. The twenty-eight acre parcel is not part of the corner development. That was Hunter's development, just so you know, the gas station, the retail, the hotel, that was approved by a previous commission and that's, they are working on that, and hopefully that's going to add some tax dollars to us. That's not part of the twenty-eight acres that was previously in for residential. Just so you understand that. Thank you Mr. Chairman.

Jim Beatty, Tinsmith Crossing, Wethersfield: Good evening, I'm from the other side, in Wethersfield and I'm against this plan of building up there for a lot of reasons that everybody else is. I think that if they put something up there and the traffic, which is going to be a major problem. Once they got their piece of property in there and they started building, who is to say that they are not going to open up Russell Road all the way behind the quarry to Jordan Lane to alleviate some more traffic. That would just be devastating to everybody on that side, plus Newington side, bringing all that traffic in there. The wild life that is up there now will have no where to go. It will literally be in everybody's backyard, it will be getting hit by cars, not to mention damage to cars and injuries to people that could be caused. The deer will get sick because there won't be enough food, there won't be enough space for them to have enough food so they will be getting sick, getting diseased, and I just feel that it is not a good thing up in this area, so I just wanted to voice that.

Jessica Vandervine, 124 Indian Hill Road: Good evening, I may be like many people in this room, unaware of this 2020 Plan until the media picked it up. I'd like to thank the Commissioners for continuing the public hearing. There seems to be an alarming trend in town, something I consider a desperate land grab to increase grand list revenues. These short terms gains will have long term affects on our town. Because Newington is an older town, land is limited, and creative re-use of vacant building sites is needed, not construction on current open space. Commercial and housing developments need to be curtailed with residential areas buffered from development in order to maintain Newington's small town feel. Over the years, following years of development in town, traffic has vastly increased. Traffic is often stopped on many of our main roads. I don't want to hunt for a parking spot which I then have to pay for, and I don't want to watch cars running red lights while I'm looking at a walk signal. In short, I don't want Newington to turn into another West Hartford. My main reason here tonight is to lend another voice to preserving Cedar Mountain. The 2020 Plan asks how much of Cedar Mountain should be preserved and I vote for all of it. The fact that Newington is ninety-two percent developed, with only eight percent open space left is an embarrassment. There are many parks and three main greenways open to the public in town, Church Farms, Twenty Rod Road and Cedar Mountain. Cedar Mountain is by far the largest, has the most hiking trails, and topographical changes. From the ridge line, you can look west and north for miles, and the view is unparalleled in town. We have all watched what has happened to Avon Mountain, and I for one believe we need to protect and keep intact the remaining vacant parcels of Cedar Mountain and maintain public access to this town's treasure. It won't be easy, we'll have to make sacrifices, taxes might go up, services might be reduced, but it is imperative that the remaining portions of Cedar Mountain be left undeveloped and made permanently available to the public and not to a select few for monetary gains. The number of people, and hours spent hiking, birding and snow shoeing on the mountain are countless and the loss of this, incalculable. Again, Newington is ninety-two percent developed, Cedar Mountain is a couple of hundred acres in total, some of the parcels we are talking about are a few dozen acres, so let's take this one opportunity to do what is right for our town, it's residents and future generations. Thank you.

Mary Lowe, 80 East Robbins Avenue: I'd like to follow on our last speakers comments and say that I am in favor of open space, and retaining as much of Cedar Mountain for open space use and public use as possible. The other item that I want to address is in the plan on page forty-eight, if anyone has copies of this in front of them, it includes the pedestrian and bicycles information, items ten through thirteen which talk about continuing construction of sidewalks, sidewalk routes, priority schedule for closing gaps in sidewalk network and try to find ways to develop a bike way by trail system in Newington. When this plan does come together after, and I am in favor of there being specific areas of this plan that can be discussed with the public and have public comment made to each of those area. I'd like to include a definition for pedestrians which includes disability vehicles. I am a sometime user of a wheelchair or a scooter because of physical problems that I have and as someone with sensibility and experience of having ridden the sidewalks all over this town, I not only know where there are noticeable gaps in the sidewalks but also the problems of carriage, taking yourself over sidewalks and curb cuts that have not been necessarily maintained or properly designed. Needless to say, there are gaps that make it impossible for anyone who has a wheelchair or a disability scooter to get anywhere near, or across the Berlin Turnpike. In all of the years that I have lived in this town, I've always been sensitive to the knowledge that I can't go south on the Berlin Turnpike. It's not possible to cross safely there and no pedestrian can do it without jumping from island to island. That might be a whole new notion on people's parts that there is this artificial barrier there for people with disabilities, but unless you take a motor vehicle transport you're not going to make it to the south of town, so I'd like to see some information included in the definition of pedestrian, which most disability vehicles fall under legally, to so define some of the distinctions so that as planning goes forth, we can look at it from the perspective of someone trying to make their way across our beautiful town to go to those now inaccessible open space areas as well as those commercial areas we can't get to. Thank you very much.

Bernard Cohen, Whitewood Road: At the base of Cedar Mountain and as you already know, I've been living there, in that same house on the base of Cedar Mountain for forty-six years. Our children have played there and they went to the Newington schools as well and Newington is the greatest town, we thought, that's why we have lived there for that length of time. You have heard tonight all the people who are against the development of Cedar Mountain. You have heard it before, you have seen letters to the editor, you know how we feel about it. I have one question for the zoners, why don't you answer us and tell us what you are going to do not to develop Cedar Mountain. The people don't want it and it's up to you to recognize the people's choice, not the developer. Why don't you answer? Could you answer me now?

Chairman Pruet: That is the purpose of tonight's.....

Bernard Cohen: It's probably an easy answer.

Chairman Pruet: No, it's.....

Bernard Cohen: Thank you. Why don't you tell us what you are going to do as a result of these talks?

Chairman Pruet: We're not through with the discussions yet.

Bernard Cohen: Is there anybody here for the development? No! You're not going to hear any more for it.

Jeff Downes, 27 Saw Mill Crossing, Wethersfield. I would just like to ask briefly, any Wethersfield residents here, show of hands? They probably feel the same way that I do, that we are here to support Newington in keeping the last eight percent of forest land undeveloped. I also live at the

Crossings and last week I had the opportunity to take my dog for a walk, and I actually circumnavigated the entire parcel and I was amazed to find that along these trails I didn't find any rubbish. That's because we are concerned hikers, we go up there and we walk around, I think I picked up a bottle cap, probably some teenager. What I'm wondering is, last year there was a black bear under my neighbor's porch, destroying his bird feeder. They think that this black bear came off the mountain. They ended up tranquilizing him over on New Britain Avenue by New Park Avenue, later that morning. Now I don't know why the bear left that area, but I mean with eight percent of Newington, he didn't come out of Lowry Place. What I'm trying to say is, as I walked the ridge and got to the top and I was looking out over the cliff and I could see clearly all the way over to the other side of town, by Central. And do you know what I saw over there? I saw a bunch of condos sticking out of the mountainside like a sore thumb. And I said, damn, why did they have to do this? The reason that I'm here tonight is that we are a neighborly community, Wethersfield and Newington. We share a lot of the same things, like services, tree service. We share bucket trucks, we share personnel. We do tree work on both sides, instead of you guys buying a truck and us buying a truck, we share. And we're here to support Newington in an effort to keep the last eight percent undeveloped, so somebody can tell their grandkids that that is what woods look like. I guess it would hurt me really bad that I would have to tell them that there used to be a forest there. Thank you.

Maureen Klett, 104 Harold Drive: Mr. Downes, I think I know who that beer bottle top belonged to because people I know, one of the Waltman's who grew up in this town and shared with me that he took is ninety-two year old grandfather up to the mountain and he had a beer on the top of the mountain, and my mother would kill me but my eighty-six year old mother tried to get up there the other day with my brother, so there are people, young and old who really, really care about the mountain. Last night at our Council meeting it was essentially said that the plan, this plan, was just a plan and that the TPZ regulations would supercede and I appreciate the Commissioners who have pointed out the importance of this plan, and I also appreciate your willingness to listen to the public. You have really demonstrated by keeping this public hearing open, those of you who wanted the public hearing to remain open, you have demonstrated your willingness and caringness for the community, so I would like to thank you for that. I would like to point out that under the proposed plan, under using the town plan, it states that the plan is Newington's long range marketing document that provides the image of our community strength and opportunities for development, can be pursued by the private sector and in harmony with the town's future land use goal. In researching, doing a lot of research on this issue and the plan in general, there is available on line different lawsuits that have been entered by different developers against different communities and one of the things that is referenced in the lawsuits in many different communities is the Plan of Development, so it is used to support a developer's lawsuit. The two appraisals that were done on the twenty-eight acres, a year after it was purchased, at least one of those appraisals references our Plan of Development. So I appreciate your willingness to carefully review this and ensure that whatever we put in this plan doesn't come back to haunt us down the road, because a developer, no matter where it is, whether it is over on Newington Junction or if it's over on Fenn Road or if it's over on Kitts Lane, or if it's on the top of Cedar Mountain, if a developer comes in and requests a zone change and they don't get the zone change, for whatever reason, that they are not able to take this plan into court with them, and say, well the Newington Town Plan says such and such and we end up whether we want it or not, some type of development, you know, high density, low density, whatever, in a part of our community that is really not the wishes of the public, so again, I think it is probably more important than just a plan, and I do appreciate all of your time and the time of the public to come out and make their wishes known. Thank you.

Joanne Bier, 136 West Hartford Road: I really live on the corner of West Hill and West Hartford Road. When I built my house there thirty-five years ago, you could actually play in the street on West Hill Road, you wouldn't even dare to that now. I can't get out of my driveway, and now we

just put up I don't know how many houses up the street on Fenn Road. There are only two ways of getting out, Cedar, and West Hill Road and you are using a residential street as a pass through. More high density housing in that area makes no sense to me whatsoever even though it will be close to the new busway, and you might want to consider some kind of a pass through either through Alumni Road or Holmes Road before everything is developed so we can't put anything else in there. Now it has been mentioned to me that you can't do that because you would have to go up and over the railroad tracks, so be it. There are lots of times when you have to go up and over railroad tracks. Don't develop everything so that we have no way to move. The other point that I want to mention is that when you take a piece of property that is zoned commercial, or even retail, it brings money into the town for the amount of services that are provided. When you bring residential in, it costs the town money, so if you change all those commercial and retail parcels to high density, low density, it doesn't matter, residential, you are actually increasing the cost to the town. Thank you.

Gail Bedrako, Isabelle Terrace: I'd like to thank you for allowing us one more opportunity for us to comment on the 2020 plan. I've addressed this Commission before, but I wanted to take one more opportunity to express concerns. At the November 24th Town Council meeting, the Town Planner gave a excellent presentation on Cedar Mountain and provided insight into both the opportunities and threats by development. Due to the slope of the mountain and the trap rock composition, one major concern is storm water drainage and resulting run off. As someone who lives at the bottom of the mountain, I can tell you this issue is very real, and those of us who live there currently experience problems after particularly heavy storms. I'd like to know what will be done to control this if the mountain becomes further developed. If nothing is done, those of us who live in the Brentwood area will suffer the consequences. However, if substantial drainage improvements are required, who will pay? Will current taxpayers be required to shoulder the burden? At that same council meeting, a spokesperson from Marcap addressed the Council. He assured us that the proposed development would be in the finest tradition of Toll Brothers and that Newington residents would be proud of the proposed development, and pleased with the results. Proud and pleased. I for one would be proud if Newington residents work together to protect this very important community asset, Cedar Mountain. Of that I would be proud. Pleased? I'll tell you, I won't be pleased if I'm standing at the bottom of the mountain looking up at townhouses while the residents there are on their decks enjoying the view, and my neighbors and I are below either stuck in traffic at Hawley and East Cedar Street, or in our yards dealing with skunks, raccoons, woodchucks and snakes displaced by the development, or in our basements with a sump pump after a storm. No, I won't be pleased. An additional concern that I have is with traffic. The 2020 Plan discusses the future development of the town center, but there is very little attention given to current traffic concerns, that are in and around the center. The Plan states that the DOT will be asked to quote, approve traffic calming techniques along the crosswalks on Cedar Street, end of quote. This hardly seems sufficient. I invite any of you to come to the corner of Hawley and East Cedar during rush hour during the weekdays and you will witness the bumper to bumper traffic on Hawley and Ellsworth, two very small residential streets. Ninety percent of these cars, if not more, have no connection, to that neighborhood. They are simply passing through to avoid the real congestion that occurs in the center of town. Any planned development is only going to increase traffic, and it's irresponsible to proceed with any development without addressing current traffic issues. Staying on the topic of traffic and transportation, there's a proposed busway connector between Hartford and New Britain. Since the last TPZ meeting alone, Aetna announced hundreds of jobs cuts, and one of Hartford's premier office buildings, Metro Center has gone into foreclosure. I don't know how many of you have been into Hartford in the downtown recently, but the major retailer there is a CVS store. Commercial, retail and residential vacancy rates are very high. Additionally, Hartford recently gained the distinction of being listed as number twenty-four on a list of the worst crime rates in the country in metropolitan area. This is a move up from number twenty-seven last year. The economic and social picture is not much better in New Britain. There is not much of a draw on

either end of this busway and I question how much demand Newington residents will have for it. The state says that this busway will spur development in the cities, but this is not a field of dreams. The problems in the cities are very real, they are endemic, and complex and no busway is going to solve them. The more likely and troubling scenario is the problems of these cities are going to be exported into Newington. These are problems that we are not equipped to deal with or prepared to take on. Regarding the town center, the 2020 Plan states that a high priority is going to be placed on preserving the town center's character and size which helps distinguish Newington as a small New England community. However, several of the recommendations are in direct conflict with this vision, particularly the ones that advocate for high density housing, mixed node development, removal of building height limitations, and development of Cedar Mountain. Instead of a small New England town center, surrounded by neighborhoods where there are pedestrian friendly sidewalks and safe streets, one where families can sit at a café and enjoy the view of the mountain, the 2020 Plan creates a town center ringed by high density housing, congested streets, and one where the view of the mountain is obstructed by multi-story buildings. Or in the limited areas where the mountain is visible, the ridge line is lined with townhouses and shops. In closing I ask that you consider our limited supply of vacant land. Newington has ninety-two percent of its land developed. That's a very distressing figure. All of us have to accept some responsibility for not paying attention and allowing this to happen. However, as you can see from the turnout at these meetings, we are now aware, and we are now concerned about what is happening to the remaining eight percent of the land. It's not too late, let's save the eight!

Child Pusinko: I think that we should not knock down Cedar Mountain. It's a mountain, animals live there, we don't need new homes. Animals never took away our homes, it's not necessary for us to take away theirs. We don't necessarily have to knock it down if you guys are just thinking about money to build houses. You could do something else there. Just rearrange it a little bit and make a rock climbing for the summer. You don't have to knock it down. It's a mountain, it's animal's homes, you don't need new homes. It's never going to grow back anywhere else. Thank you.

Sandra Pusinko: We just moved into Newington three weeks ago, we come from New York and we moved to Newington because it is a beautiful place, a beautiful town, I'm sure, because my kids are having a blast because of the beautiful surroundings, nature is so different than New York. Last Thursday I met with Gerry, the owner of the twenty-eight acres and putting together my investment experience in real estate and I proposed to him a nice plan, and he loved it. He just has a contract with Toll Brothers, he just wants to move ahead and, he's open to new proposals, and my idea is, we have 12,000 households, or more households in Newington and my proposal was to open this to new investors and the new investors are you guys. The whole Newington town. If we divided the total price of the land between the 12,000 households and then you wouldn't have to fight any more for the future of the land because they even have another idea about the land, this is just a matter of ownership and a matter of revenue for the town. So I just want to wait for the final decision of the town to decide what we are going to do, but actually he is really open, he's really open to work with everybody, because for him this is just a moral, at this point for him, this is just a moral, it's like a moral base or more than a business, because he knows that you really love the land and you want to keep it and there are few open spaces like this, at this time, so everybody is going green, and he really loves the idea to keep it, but he needs to really get a deal done, so there are other options, choices and this is not the only one because Toll Brothers, you have a contract. They don't have any ownership of the land yet. Thank you.

Keith Schomberg, 504 New Britain Avenue: That is where my parents live now, actually I'm from California and I've just returned from Burbank California for the holiday season to discover that we were having this debate about Cedar Mountain and the future of Newington and its open spaces. I have kind of a unique experience of seeing the town change annually as I have come

back every year since 2004 when I graduated from Newington High School and each time that I came back, I find that we are losing our fields, and our farm land and our woods and are getting more houses, condos, and commercial real estate. There is an old saying that when the only thing that you have is a hammer, you tend to see everything as a nail and as the Town Planning and Zoning Committee I understand that it is your job to help develop the community. Where I live now there are no woods, because it's L.A. and it's built on a desert but if you tried to, for instance, develop the beaches there, which is what makes the whole L.A. coast, there would be riots. Just simply riots, and our beach is the woods here. Old barn fields, open green space, those are the beaches of a New England community. It's what makes us a New England town, and even if we were a city, for instance, if that was the aspiration to have more people here, Manhattan, the island of Manhattan, Central Park alone is six percent of that island. Six percent. That is not including all the other parks that exist there. So I would just urge you not to just save Cedar Mountain, and we should save Cedar Mountain, but whenever you look at an open space, and you are thinking about development that you consider that leaving alone could be the best development of all because just like this family that came here, they came here because maybe they drove through and they saw, hey look at that, a little green every once in a while, and I think that even though houses still have trees and things like that, there is a certain claustrophobia that comes with over-development of residential areas. Finally I would just say that I think what everyone is looking for politically is how we need leadership to say, this is the plan to save Cedar Mountain. Where is the someone who is going to say, I'm going to look for grants, you know, this is what the town needs to raise, the amount of money, we need someone who is going to stand up, either on the Town Council or here, and say, this is the real plan to save it. We all come here to say stuff, but at a certain point, we elected you for leadership and we want leadership to say, okay, we see how the town is thinking now here is the proposal. There is Toll Brothers, let us build commercial space, or let's buy it because at the end of the day, this guy has property that has to be bought so we need leadership to say, this is what we are going to do, this is how we can save it. Thank you.

Sandra Pusinko: I just want to add that we have in place like every (inaudible) should have a plan for the place because there are so many other places in the world that have this kind of beautiful metro area and they just take advantage of these and they don't really harm, they just take advantage of these for the kids to enjoy these beautiful surroundings, and this is a recreational project, and is just a matter of waiting for the final decision because he can't do anything at this point because he is waiting for the project to be approved or not, for the change of zoning. So right now it is in your hands basically to get this for everybody so everybody will be happy.

Mary Utis, 26 Dalewood Road: I do live at the base of the mountain. One of the reasons that my husband and I bought the house was the beauty of the mountain. I tell my husband, every time I talk about the hearings or what is going on, and I say, I lay in bed every morning and when I open my eyes the first thing that I see is the beauty of that mountain. I am an animal lover, and I have had coyotes in my back yard, I've had deer, I've had woodchucks, they are beautiful, but that is not where they belong. They don't belong in my backyard. They are coming off the mountain, they have no where to go, and I'm very, very concerned for them. I want to see this mountain preserved. I've grown up on both sides of it. I originally was a Wethersfield resident, I grew up with the beauty, I had many friends who lived in this town, and every time I came over the mountain and saw the view of the Farmington valley, Avon, whatever, we need to preserve it. I agree with everybody. We need to know what the plan of action will be to save this mountain. Thank you.

Melissa Grand, 15 Oxford Drive: I don't know what we could do to look into making, creating all of Cedar Mountain as a state park to be permanently preserved. I think that would just set Newington so much apart from everywhere else. Our proximity to Hartford, where it's such an

urban area and that's just something that people have said, you can't take that, once it's been developed, but I think that if we could create a state park, if that's a possibility, if there are grants, or if we could purchase the land. I would love to see the land preserved, hiking trails, mountain biking trails, nature preserves, this area could really use something like that. Also, about the rest of the 2020 Plan, I know that when I worked in Rocky Hill, the Town of Rocky Hill wanted to adopt Newington's plan for economic development and financial growth, and I think that over the past, I don't know if it's six or seven years, they have done such a great job of drawing in new businesses, and tax dollars into that community. Newington is set up so beautifully where there are all these industrial parks and I would love to see our economic growth focus on the industrial parks and the empty commercial space that we have already to really bring in new tax dollars to the town, then keep the rest of it a nice residential community in town for the people who live here. Thank you.

Richard Klett 104 Harold Drive: I'm a lifetime Newington resident, in fact, I have the distinction of being a quarry boy, no doubt you get where that reference comes from, but Newington means a lot to me and I can tell you that I'm proud to be a Newington resident, proud to see so many people who have finally spoken. It's true government at its best. Speaking about good government, good government really should be transparent, open and what I've seen here is that we almost had a 2020 Plan without twenty-twenty vision and I think over the past several weeks Newington has certainly spoken and once again I have to commend the citizens of Newington because sometimes I get a little shaken when they don't say what is on their mind, but there is no doubt what I have seen over the past few weeks is they have told you what is on their mind and I think it's incumbent upon the local body politic to listen and take this vision, and change the vision. Thank you.

Joe Gadioano, 70 Augusta Drive: I live right here, right at the bottom. My parents bought the house brand new in '65 and my dad began taking me hiking up the mountain in, I was born in 1967, so when I was five years old my dad started taking me hiking up the mountain. We called it, right here in this area, they called it the peak, back then when I was growing up they called it the clearing. We used to have friends, growing up, come over to the house, would meet at my house, five or six friends, and we would always go for a hike up the mountain. Over time, more and more friends would come over and we started, instead of calling it a hike, we called it therapy because growing up as a kid anywhere, you realize that there is a lot of stress and everything, so we would all meet up at my house and we would go for our therapy walks. I graduated from Central when I was twenty-two, and my parents decided to sell the house, and I decided to buy the house, not because I had to, but because I wanted to and my daughter was born in 1990 and I began taking her hiking up the mountain when she was five, as well. Over time, more and more of her friends became involved, and they would go for hikes with us up the mountain as well. I guess what I want to say is that I have been hiking up there for thirty-seven years, I'm forty-two now and over the years I've seen more and more hikers up there enjoying the mountain. Back when I was up there with my Dad, until I started hiking with friends of mine, it was just us, you would barely see anybody up there at all. Now in the summer time, you can't be up there any Saturday night in the summer time you can't be up there alone at 7:45 at night because there's fifteen people there, waiting for the sunset. Anybody seen the sunset? If anybody hasn't been up there, take a hike, you can see, you get to the peak of the clearing, or whatever you want to call it, you can see at least seven or eight other towns, all the way to Avon, Farmington, West Hartford, it's gorgeous, and you see the sun set in the west, because you are looking to the west. Like I said, any night in the summer, especially on the weekends, and if you want to go up there to watch the sun set, you are not going to be alone, there's going to be ten, fifteen other people there. Like someone said, garbage on the mountain, it's just unbelievable how people leave no garbage on the mountain. Once in a while of course, there could be some kids up at the clearing, and they leave wrappers, or whatever, but most of us are up there picking it up, and it's super clean up there and if you guys are going to allow them to destroy the mountain, it's going to be

rough for a lot of people. Driving up my street, every day coming home from work, I look up and I see the mountain. I don't sometimes pay much attention to it, I mean, it's beautiful but I don't want to be looking up and seeing these multi-million dollar houses looking down. If anybody has ever brought younger kids up there hiking and so the look on their faces, ten or twelve year olds, when they actually get to the top, huffing and puffing, and they look out, and they see the view, and you see the look on their face, it's amazing, and it's something they will never forget and hopefully it will be something that everybody can experience and it's there for their kids also, so I'm one hundred percent against it. Thank you.

Joyce Selinski, 21 Red Rock Circle: Last night at the Council meeting, a concern of the Town Manager, Mayor, and Members of the Town Council last night were very concerned with state funding and the lack of it this year and in the coming years with the state crisis and the country's crisis. I'm very concerned that there are no grants are available to help save the mountain, or to help Newington to save the mountain. Bringing more residents to town in homes does mean more tax dollars to offset some of the costs that these people are going to create. Cost of police, public works, fire department and the ambulance, but not enough. Last night there was a big discussion on trash. It looks like they want to go to streamline (inaudible) to try to go green. Well, let's go green and save the mountain too.

Saphi Manusis, 136 Wind Mill Hill, Wethersfield: I'm a resident and I'm also a member of the Town Council and I applaud this body's effort to hold these meetings and keep your residents informed. My interest is really and properly informing our residents of the proposed development plan, and of the impacts to our residents, our infrastructure in our town. I'm a life long resident of Wethersfield, and I love Newington as well, we're good neighbors, and I know that we do share services. I'm concerned specifically on the impacts on the Russell Road area, and to our residents who live at the Crossings, who, many seem to be here tonight. I know in the past they have expressed some concerns about blasting and other concerns if the development is actually, if it continues. I'm also concerned about the impacts at that interchange, which as you know, already is very difficult to navigate during rush hour. What I am respectfully asking is that if somebody could give us a contact so that we can be kept in the loop so that we can make sure we inform our residents properly, and we are armed with all of the facts that would be very helpful, and Cedar Mountain is a very beautiful place and if you are looking to move some of that development, we have some great sites on the other side of the Berlin Turnpike that maybe we can accommodate them. Thank you.

Gary Bolles, 28 Burdon Lane: I really hadn't planned to speak tonight, but I began to think about our town seal and the words growth and progress. Growth isn't always progress, and I'll give you a prime example of that. Approximately twenty-nine years ago I stood right here at this podium, and that was just after the defeat of I291, and I said, about our two lane Cedar Street out here, Route 175 which travels from New Britain through Newington and into the great town of Wethersfield, down to the Silas Deane Highway. I said, you know folks what is going to happen, our Cedar Street is going to become the 291 through Newington. Well, in 1984 the State started to widen Cedar Street only in Newington from two lanes to four lanes. Why just in Newington I don't know. Now for the benefit of the good Wethersfield people who are here tonight, I would never, ever endorse widening that road in their town, or to the New Britain people, widening it in their town. Why it had to happen here, I do not know, but as far as the State Department of Transportation in Connecticut is concerned, it was one of the most colossal mistakes that they made. I am fully supportive of saving Cedar Mountain, and I would chance a guess that there is not a person in this room that isn't. Most of us are on the same page and it's wonderful. We need all you good Commissioners to be on that same page. Now one of the other things which is of utmost concern, if there was to be development up there, and that's a nasty word as far as I'm concerned, we would need a light at the top of the mountain. That would be another Avon

Mountain. We don't need a light there. As I said, I fully support saving the mountain, and I hope that we all can come together on this and do it. Thank you.

Michael J. Fox, 1901 Main Street: First of all congratulations to all of you new officers, and the new appointees to the Commission, and Gary, they should have narrowed Cedar Street instead of widening it. People would have to find other ways to get around. There are two things obvious tonight, and in the preceding sessions of your commission. One, residents of Newington and Wethersfield do not want to see Cedar Mountain developed, which is a good thing. I agree with that. There is a problem Mr. Cohen, it's not that simple right now because most of it is privately owned. But between the town Planning and Zoning Commission, the Town Council and commissions such as the Conservation Commission and maybe even the Environmental Quality Commission, I am sure that we can find a way. The other thing is that the 2020 Plan of Conservation and Development infrastructure should be completely redone. It is contradictory in nature for the most part, and one of my pet peeves was mentioned by Ms. (inaudible) here and that is quote, transit oriented development. The plan seems to call for high density anywhere where there is transit. I think according to the plan, they include Kitts Lane, back of Settlers Knoll, and not only there, but the busway which I think is a mistake. So I think it is incumbent upon the Commission to get back to work on the Plan, and bring it forward again, with many, many changes. Thank you.

Tom Bowen, 22 Woods Way: Good evening. Just a couple of things that I would like to say. I think for many of the residents that there is a little bit of confusion. It seems as if this evening has been broken down into three parts, the 2020 Plan, open space and then specifically a plan that may be being brought forward for the open space on the top of Cedar Mountain. I would just like to make sure that people understand that the 2020 Plan cannot directly affect change. It is only a guideline, so, but it's a very, very important guideline. I think its, what we have been saying here tonight is we really need to encourage this Commission to talk more about conservation, step away from high density and to think more about retaining the character of Newington, which they said they wanted to do in their vision statement. So I think when we talk about the 2020 Plan which is what we are supposed to be talking about now, that's where our comments should be directed. When it comes to purchasing land for conservation and for open space, although TPZ may give some direction, through its 2020 Plan, I believe the only body that really can purchase land would be the Town Council. So the actual act that people are looking to take place here, which would be to move forward and actually purchase land I believe you would have to have Council authority to do that, they will go back I believe to TPZ for recommendations, making sure that they agree with what the approach is, but again, if you are really looking for a body to purchase open space, which would have to occur, all of Cedar Mountain is owned by someone. It's not owned by the town, so in order for open space to occur land is going to have to be purchased. So make sure that you are also talking to your councilors about purchasing that open space. The people on TPZ really don't have that authority. The third piece that we are specifically talking about, the project that is not before TPZ right now. There was a plan, a request that was put in front of TPZ, but it was withdrawn, so there is no decision I would think, right now that TPZ can make specifically on that one piece of property. Until that plan is brought forward again, and put before them, they have, I don't believe that they have anything to react to. I do want to commend Mr. Bolles on bringing up an issue that I think is, that no one has spoken about here before, and that is the only reason that I am really up, is that we tend to bow over to the State of Connecticut whether it is for high density housing, the only reason we are putting up high density housing, the reason that it was brought up is because the state wants to put a busway through. The only reason that Cedar Street is as crowded as it is now is because the state wanted to widen it. I don't think Newington stands up to the state enough. If you take a look at a lot of the pieces of the 2020 Plan, it refers to things that the state is going to do to us, and we have a knee jerk reaction accommodating it. So what I would like to ask TPZ directly to do is to stand up for the residents of Newington against the state, push back against all of the

development that they are looking, we need to recognize here, the state does not look after Newington. Here's where I disagree with Mr. Bolles, what the state did was a great success for them, they wanted to increase the traffic flow from Hartford to New Britain, and they found an excellent way to do it. So they were very very successful in what they wanted to accomplish, but they didn't care about what they did to Newington. So again, the state is not our partner in development. The state uses the town as a thruway. Now is the time for TPZ to realize that, we can no longer allow this to happen. We have to push back against the state and we have to put Newington residents first. Now, the one other thing that I would like to say, there was a suggestion brought up by Commissioner Anest that we will tell the public which portions of the 2020 Plan they are going to be discussing. I think that is a great idea, it will allow the residents to focus their comments specifically on specific issues of the plan and I think will be much more successful than in coming up all the time with general ideas so I'm not sure how you will communicate that to the public, but I would really appreciate it if you could find a way so that the public knows, so that they have time to plan to give good testimony to this Commission and then as the draft is being changed, give the feedback back to the public so that we can see the changes that you are making and if we feel that there should be more, we can give you more feedback. Thank you very much for your time.

Holly Harlow, 11 Edmund Street: Further to what Tom was just saying about, and what Commissioner Anest was suggesting about breaking down the Plan, included in all of that, could we make it in plain English, for people who are reading it, because even though, I don't think the Plan is overly wordy the way that it is written, it's written very clinically. If you understand building, or if you were part of the construction of the Plan, I think you understand better how the descriptions are constructed. When we sit down to hear and give public testimony about each part of the Plan, if that is what happens, and I hope that it does, if also the terms are defined, high density housing, multi-purpose, you know what I'm talking about. There's lots of terms in there that have specific meaning, but I know that I don't understand all of them, or I assume that I know what the definition is, and I may not, so that would be my wish, to have the Plan either written or described in a way that really makes sense to any of us who aren't TPZ Commissioners or Planning people. That the definitions, transparency in what the terms really mean, what the descriptions of the action that is proposed really mean, so that we can envision the place, the opportunities that we are talking about, what address is it so that we can picture in our heads where it is, and what the plan action for that piece of opportunity site might be. I know that would help me, I would hope that it would help everybody else. Thanks.

Jeff Sellem, 55 Welles Drive North: I would just like to follow up on one of the things that Tom had said, he said, put Newington residents first. Perhaps you might want to include that in your vision statement of the 2020 Plan, instead of putting the developers first. A few things that I think that you might have an opportunity to correct, some of the problems that I have seen with development in this town over the past ten years. I think that we have kind of damaged some of our natural resources, I'll give you a couple of examples. The Woodlands over on Fenn Road, I think it's kind of a joke that it is called Woodlands when they removed practically every tree that stood there. So if you could possibly think in your plan, maybe set a goal to preserve old growth trees, or anything that might help preserve the character of the town. Another example I could point to, it almost looked like a quarrying operation that occurred behind the Wendy's on the Berlin Turnpike. I think there was an excessive amount of material that was removed from that site, so again I'd like you guys to think about some of the problems that we have had over the last ten years. Traffic is another issue. We might have to partner with the devil to fix it because it is a state road, so maybe you want to put that in your plan too.

Marilyn Miller, 2 Buck Street: Couple of things. I like the idea of putting the information in the tax bills, to notify the public. I had an idea also, as I hate public speaking so much, I think in reviewing the state general statutes and all that, they suggested at some point that if the TPZ had

a form, and you put that form in say like the Town Crier and everybody that gets the Town Crier will have this form, and that we could write our comments about whatever section you are working on, rather than having two hours of public speaking and all that, and if it was in written form, maybe you could review it that way also, and not just listen to us verbally. The other thing is, boy do I hate public speaking. I am definitely in favor of everybody who states save Cedar Mountain and I certainly would like to propose that everybody tie a green ribbon around a tree that supports that, so that everybody there, who is driving in town, will certainly let you guys know what we think about that. The other thing is, another approach, I have some concerns. I have some concerns that some people already brought up, but in about the plain language in the 2020 Plan, page ten and twelve for example, there is all these words, acreage, open, vacant, unusable, public land, extremely confusing. It needs to be in English. Another thing I'm concerned about, I'm a simple, uncomplicated person, and I've mentioned this before in another meeting, for people on Commissions who are deciding what our life style is going to be in town, I have concerns if a developer or a realtor, is making our decisions for us. I think it opens up so many possibilities for, I'm not sure about the words, but I think those people should be disqualified from making our decisions about our vision of our land, because they might have some ulterior motives. Maybe I watch too much TV, but I really, I have some concerns about, I've had some other history with some committees, and I think ulterior motives play a role in what might be happening in our town. I have, some other gentleman said he had a bad feeling about what is going on, I also do. Save Cedar Mountain, I have hats, go green, tie those ribbons. Thank you.

Chairman Pruet: Any further public participation? Seeing none, we will move on.

Commissioner Pane: I'd like to propose Mr. Chairman that at our next meeting we're going to have this on the agenda, and we go through Section 1,2, and 3. The introduction, conditions and trends, and the conservation strategies. This way the public can look through the Plan and have questions on that, and maybe the Commission can talk about these three and get through this. I don't think the public is going to feel comfortable until we get into this Plan and start discussing it as a Commission, so that is what I would like to propose.

Chairman Pruet: Maybe place that in the form of a motion?

Commissioner Pane: I move Mr. Chairman that our next meeting we have this on the agenda and we start discussing it, Section 1, Introduction, Section 2, Conditions and Trends, and Section 3, Conservation and Strategies.

The motion was seconded by Commissioner Anest.

Chairman Pruet: Discussion on the motion?

Commissioner Anest: I would just like to add if the Town Planner can send a press release to the Newington Town Crier advertising what we are going to discuss, and I think that should be a practice all along, that there should be some sort of press release or in one of our newspapers to let the public know what we are discussing.

Ed Meehan: January 13th is your next meeting.

Commissioner Hall: I just want to let the public know that we did this back in the summer, but we will do it again, so that we can have the input, but we took this entire plan and went section by section and, because I have underlining in it, I have all kinds of comments that we did. This is something that we did, but we will do it again for that the public can also have the input.

Chairman Pruet: Exactly what our intentions are.

Commissioner Pane: I just want to state that not all the Commissioners got a chance to debate everything on this Plan and I was definitely not in favor of a lot of things that were in this plan, so I just want to state that for the Council and the public to know, that not all the Commissioners had a chance to fully debate all the issues in this plan. Thank you.

The vote was unanimously in favor of the motion, with seven voting YES.

III **PUBLIC PARTICIPATION** (relative to items not listed on the Agenda-each speaker limited to two minutes)

None.

IV. **MINUTES**

November 23, 2009 – Regular Meeting

Commissioner Camerota moved to accept the minutes of the November 23, 2009 Regular Meeting. The motion was seconded by Commissioner Pane. The vote was unanimous in favor of the motion, with seven voting YES.

V. **COMMUNICATIONS AND REPORTS**

Ed Meehan: I just have one item that you can take it up later. The report that I prepared for the Commission regarding our application fees. We are required by the State of Connecticut to increase our fees and we did a little survey of neighboring towns to see how we aligned with our neighbors in Wethersfield, Berlin and Rocky Hill. We can do that later.

Chairman Pruet: Thank you Ed.

VI. **NEW BUSINESS**

Chairman Pruet: Our next order of business, I'll entertain a motion to alter the agenda in order to go into Executive Session to, at the end of the meeting to discuss some pertinent matters that the Town Attorney has brought to our attention.

Commissioner Pane: Mr. Chairman, I'll make a motion that we discuss the New Business, A, Discussion of Cedar Mountain Development moratorium with the Town Attorney, Ben Ancona and B, Discussion of Three Angels Seventh-Day Adventist Church, 580 Church Street vs Newington Town Plan and Zoning Commission, Town Attorney Ben Ancona under Special hearing at the end of the meeting.

The motion was seconded by Commissioner Anest. The vote was unanimously in favor of the motion, with seven voting YES.

- A. Discussion of Cedar Mountain Development moratorium, Town Attorney Ben Ancona.
- B. Discussion of Three Angels Seventh-Day Adventist Church, 580 Church Street vs Newington Town Plan and Zoning Commission, Town Attorney Ben Ancona.

VII. **OLD BUSINESS**

None.

VIII. **PETITIONS FOR SCHEDULING** (TPZ January 13, 2010)

- A. Petition 29-09 – 451 New Britain Avenue, Gianni DiDomenico, 257 Stillmeadow Lane, Berlin CT 06037, applicant, Newington 451 LLC, owner request for Special Exception Section 3.2.6 School for Cosmetology Training, B-Business Zone District. Schedule for Public Hearing December 9, 2009.
- B. Petition 30-09 – 445 Unit A Willard Avenue, Fountain Point Office Park, Family Adult Day Care, LLC, applicant contact Mervyn Rimai, 1560 Asylum Avenue, West Hartford, CT Rotundo Developers, LLC owner, request for Special Exception Section 3.2.9 Adult Day Care Use, CD Commercial Development District. Schedule for Public Hearing December 9, 2009.
- C. Petition 31-09 – 170 Pane Road, David Occhialini, c/o Reno Properties, 170 Pane road, Newington, CT 06111 applicant, Reno Properties, LLC owner project contact Alan Bongiovanni BGI Lane Surveyors, 170 Pane Road, Newington, CT 06111 request for site plan modification Section 5.3 for construction of additions to existing building totaling 32, 650 sq. ft. Schedule for presentation December 9, 2009.
- D. PETITION 32-09 – Assessor Parcel 16-647 adjacent to 1268 Main Street (South Side), Reno Properties, LLC 170 Pane Road, Newington, CT 06111 applicant, project contact Alan Bongiovanni, BGI Lane Surveyors 170 Pane Road, Newington, CT 06111, Harris A. Fineberg owner, request for zone map amendment R-12 to B-TC Business Town Center. Schedule for public hearing January 13, 2010.
- E. Petition 33-09 – Assessor Parcel 16-647 adjacent to 1268 Main Street (South Side), Reno Properties, LLC 170 Pane Road, Newington, CT 06111 applicant, project contact Alan Bongiovanni, BGI Lane Surveyors 170 Pane Road, Newington, CT 06111, Harris A. Fineberg owner, request for site development approval Section 5.3 for construction of 2,500 sq. ft. bank. Inland Wetlands Report required.

Ed Meehan: These are items that the Commission at your last meeting moved out to January 13th. Your feeling then was to lighten the work load a little bit, spend more time on the Plan this evening. You need to go forward with these because of the statutory time limits on these applications, the sixty-five day requirements. A couple of these are short, it shouldn't take your full meeting, and I'll work with the Chairman on setting up your agenda for the 13th.

Commissioner Pane: Mr. Chairman, do you think we could have the Town Planner explain to the public why those things were moved over to the Special Hearing, especially the moratorium because I know that the public probably was concerned about that, and so maybe we should have the Town Planner explain to them what we are doing.

Chairman Pruett: Okay.

Ed Meehan: Thank you. The two items under New Business are matters that involve reports from the Town Attorney. Certainly, the second item, B, the case involving the appeal by the Three Angels Seventh Day Adventist Church is a litigation matter which properly belongs under Executive Session for the Commission members to discuss. Item A, Cedar Mountain moratorium will involve some strategy sessions and strategy discussions with the Commission members and the Town Attorney and this is the first time that you have had a chance to discuss this since it was brought up back in October, so at this point Mr. Ancona, Attorney Ancona has prepared a report, but it's proper to do this in Executive Session. We're not asking for any action in Executive Session, you can't vote in Executive Session but then when you come out of Executive Session if

there is a need to take an action, you should do it on the record. You are seeing this for the first time tonight and I think you should look at this information, digest it, keep it on your agenda for the next meeting also.

Chairman Pruett: Thank you Ed.

IX. PUBLIC PARTICIPATION
(For items not listed on agenda)

None

X. REMARKS BY COMMISSIONERS

Commissioner Pane: Mr. Chairman, I just want to thank the public for coming out, I've heard some new things from the public and I just want to remind the public that this public participation is going to be open through our entire discussion of the Plan of Development until we present this to the Council and I'm hoping that we can get this done in a speedy fashion, get it over to the Town Council so that they can look at this so that we can move on and raise some money. Thank you.

Chairman Pruett: Thank you.

Commissioner Casasanta: I just wanted to state for the record that how much I personally and I'm sure many of the other Commissioners too, how much we appreciate the years of service that Peter Kornichuk provided to this body, and his presence is going to be sorely missed and I just wanted to state that. Thank you.

Commissioner Schatz: Again, I thank the people for coming out and the Council would appreciate it if you would come out for them. I think what we have to work on too, and it would have a lot to do with Cedar Mountain, I think we need a regulation controlling mining in town. Up at the Cape they have it, you can only dig a certain way down into the ground, and that's it and that is what I think we need here, a mining regulation so that builders when they came in here would know what they were up against, rather than at one time we had a road that was going to be put up into the mountain there and the end of the road was going to be fifty-six or fifty-seven feet into the ground. It was going to take one hundred thousand trucks to truck the stuff out, and we put a stop to that, so I think we need to, later on, work on a mining regulation. It would help that. Thank you.

Commissioner Camerota: I just want to say for the benefit of the public that is here, particularly Wethersfield residents, I think the gentleman who was part of the town council left, but our meetings as many of you know, the second and fourth Wednesdays and the agenda can be found on the town web page. Also you can sign up to get a copy e-mailed to you of the meeting notice, if we have a special meeting that starts early, and also you can link to a copy of the agenda that way.

Chairman Pruett: Thank you. Further remarks?

XI. STAFF REPORT

A. Site Development Bonds Proposed for Release

Newington Ridge – Toll Brothers Prospect Street
Bel Air Manor – 256 New Britain Avenue

171 Pascone Place – McBride Properties

Ed Meehan: Thank you. These items are for the Commission's consideration for the bond releases of projects that have been wrapping up during the past fall. There are three proposed items for bond releases for the Commission's consideration, and I believe in your packet you should have gotten a staff report with the background on staff recommendation on each of those, so it's before you for your consideration.

Chairman Pruet: I will entertain a motion that we consider the draft suggested motion as part of Old Business.

Newington Ridge
Toll Brothers
Bond Release

Commissioner Pane moved that the bond balance of \$5,000 posted by Toll Brothers for completion of work at Newington Ridge be released the final items (1) repair of cracked sidewalk slabs at Back Lane driveway (2) lawn germination and (3) cut back of footing drain PVC pipe behind Unit #12-14 Harlow Drive have been completed.

The motion was seconded by Commissioner Camerota. The vote was unanimously in favor of the motion, with seven voting YES.

256 New Britain Avenue
Bel Air Manor
Associated Construction Company
Request for Release \$5,000

Bond posted 4-3-2009, original amount \$47,000, secured by certified check. Reduced to \$5,000 7-22-09

Commissioner Casasanta moved that the bond amount of \$5,000 for the completion of the remaining items at Bel Air Manor, Associated Construction Company be approved for release.

The motion was seconded by Commissioner Camerota. The vote was unanimously in favor of the motion, with seven voting YES.

171 Pascone Place
McBride Properties

Commissioner Schatz moved that the bond balance of \$5,000 posted by McBride properties for 171 Pascone Place be released for completion of (1) dumpster fence enclosure (2) landscape plantings/loam and seed (3) Engineer's Certification of Storm Drainage installation with the requirement that the Town Planner coordinate with the property the re-seeding of the lawn area adjacent to the Kinder Care property.

The motion was seconded by Commissioner Pane. The vote was unanimously in favor of the motion, with seven voting YES.

B. Other Site Bonds

Culver Street – Subdivision Request for waiver of street tree planting at #240 and #228 Culver Street, JS Culver Street, LLC

Woodlands of Newington Pulte Homes Bond Status Report

Chairman Pruett: Ed, on the other site bonds?

Ed Meehan: Thank you. These are in the staff report that went out with your agenda. I wanted to keep the Commission abreast of the subdivision on Culver Street. The two lots which front on Culver Street, the property owners of those parcels of those lots, have asked for the waiver of the two street trees that is required by the subdivision for each new lot in town. It's not something that normally the Commission waives unless in the process of developing the lots mature trees are saved in the construction process. And secondly, I have discussed with the developer the unfinished work, driveway aprons and curbing needs to be addressed there, so this project is not ready for bond release or reduction but I wanted to call to your attention the letters from the two property owners about the waiver of trees.

The second item is the Pulte Homes development Woodlands of Newington just to keep you abreast of what is going on there, since the Commission's site walk back in October with the homeowners association, town staff, and the management company, Pulte staff has been doing quite a bit of work, specifically finishing the paving, replace catch basins, corrected an issue that we had on Fenn Road with the basin and traffic signal loop detectors. They have been going around and doing some grading of some of the areas that weren't working properly. Much of the re-grading and even replacement with sod or re-seeding has to be done next spring. They had given us a number for a bond release, I believe it's \$137,000. We're not presenting that to the Commission at this time, we are still waiting for the home owner's engineer which they hired as a third party review to provide his list to town staff and to Pulte so we can get a consolidated list and give the Commission a comprehensive report of what remains to be done there. So I wanted to keep you abreast of it. I don't know why the engineer's report hasn't been turned over to us yet, I know that it is complete and we are standing by to get that and report back to you on that list.

Chairman Pruett: Thank you Ed. Before we adjourn, I'd like to again, thank the public for coming out tonight, this will be our last meeting until January 13th, and I'd like to wish everybody a joyous Merry Christmas, Happy Holidays and a Happy New Year. At this juncture, I'll accept a motion to adjourn this meeting and go into Executive Session in Conference Room three.

Commissioner Pane moved to adjourn the meeting to go into Executive Session and the motion was seconded by Commissioner Schatz at 8:40 p.m.

XII. ADJOURNMENT

Commissioner Schatz moved to adjourn the Executive Session of the TPZ Meeting of December 9, 2009. The motion was seconded by Commissioner Casasanta. The meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Norine Addis,
Recording Secretary

